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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

LAURI VALJAKKA,

Plaintiff,

v.

NETFLIX, INC.,

Defendant.

Case No. 4:22-cv-01490-JST

**JOINT CASE MANAGEMENT
STATEMENT**

Date: July 2, 2024

Time: 2:00 p.m.

Judge: Hon. Jon S. Tigar

Appearances By Zoom

1 Plaintiff Lauri Valjakka (“Valjakka”), Defendant Netflix, Inc. (“Netflix”) (collectively
2 “the Parties”), hereby submit this Joint Case Management Statement pursuant to the Court’s
3 Order, Dkt. No. 285.

4 **I. JURISDICTION AND SERVICE**

5 This is a patent infringement action under the patent laws of the United States, Title 35
6 of the United States Code. The Court has subject matter jurisdiction over this action pursuant
7 to 28 U.S.C. §§ 1331 and 1338(a) because this action involves claims arising under the patent
8 laws of the United States, 35 U.S.C. § 1, *et seq.* This Court has jurisdiction over Netflix’s
9 CUVTA counterclaim pursuant to 28 U.S.C. § 1367.

10 The Parties do not contest that this Court has personal jurisdiction over the Parties or that
11 venue is proper and convenient.

12 **II. FACTUAL BACKGROUND**

13 **Netflix’s Statement**

14 On September 21, 2023, this Court granted Netflix’s Motions For a Preliminary Injunction
15 and for Motion To Amend The Schedule To Allow California Uniform Voidable Transactions Act
16 (“CUVTA”) Discovery. Dkt. Nos. 127, 129, 202, and 204. Through discovery granted by this
17 Court, Netflix learned that Valjakka’s litigation funder, AiPi, is in control of Valjakka’s litigation
18 against Netflix. Netflix moved to join AiPi under Rule 19. Dkt. No. 217. The Court denied that
19 motion (Dkt. No. 284) but clarified the case schedule to make clear that Netflix could seek Rule
20 45 discovery over AiPi. Dkt. No. 285.

21 After extensive effort, Netflix was finally able to serve AiPi with its Rule 45 discovery on
22 June 20, 2024. Based on comments it made during the EDVA hearing on its last motion to quash,
23 Netflix expects AiPi to file a second motion to quash in EDVA. Given AiPi’s attempts at delay,
24 Netflix expects it to take about 4-5 months to obtain Rule 45 discovery over AiPi.

25 On January 8, 2024, this Court granted Netflix’s motion for summary judgment, finding
26 that Mr. Valjakka did not have standing to assert his only remaining patent, the ’167 Patent.

27 Netflix intends to file a motion for summary judgment in favor of its CUVTA counterclaim.
28

Netflix also seeks limited discovery from Mr. Valjakka limited to the narrow issue of AiPi's relationship to Valjakka's litigation. Mr. Valjakka does not object to said discovery.

Netflix emailed a draft of this joint CMC Statement to Mr. Valjakka on June 20, 2024, and on June 24, 2024, ccing Messrs. Ramey and Hietalahti (the latter being Mr. Valjakka's Finnish counsel).

Valjakka's Statement

In an email dated June 25, 2024, Mr. Valjakka stated as to the draft joint CMC Statement, "I do not have edits to the attached version of the joint statement".

III. DISPUTED LEGAL ISSUES

For the purpose of the CMC alone, there are no disputed legal issues.

IV. MOTIONS

For the purpose of the CMC alone, the motions to be discussed are:

- Netflix's CUVTA motion for summary judgment.

V. AMENDMENT OF PLEADINGS

None.

VI. EVIDENCE PRESERVATION

The Parties have filed a stipulated Protective Order. ECF No. 56.

Netflix's Statement

Netflix timely issued a litigation hold to individuals related to this action.

VII. DISCLOSURES

The Parties served initial disclosures on May 31, 2022, pursuant to Fed. R. Civ. P. 26. Netflix then served amended initial disclosures on July 1, 2022.

VIII. DISCOVERY

Netflix's Statement

Netflix needs Rule 45 discovery from AiPi. This discovery is relevant to Netflix's CUVTA allegations against Valjakka, including liability, and will be relevant to Rule 65 post-judgment discovery.

1 In his June 24, 2024 call to counsel for Netflix, Mr. Ramey also stated that Mr. Hietalahti
2 stated that Mr. Valjakka agreed to allow additional discovery of AiPi's relationship to
3 Valjakka's litigation.

4 Netflix emailed this CMC to Mr. Valjakka on June 20 and 24, 2024, ccing Messrs. Ramey
5 and Hietalahti.

6 **Valjakka's Statement**

7 In an email dated June 25, 2024, Mr. Valjakka stated as to the draft joint CMC Statement,
8 "I do not have edits to the attached version of the joint statement".

9 **IX. CLASS ACTION**

10 This case is not a class action.

11 **X. RELATED CASES**

12 The '167 patent and the '102 patent were also at issue in the following related
13 proceedings in Western District of Texas: *Valjakka v. Cisco Systems, Inc.*, Case No. 6:21-cv-
14 00944; *Valjakka v. Amazon.com, Inc. et al.*, Case No. 6:21-cv-00945; *Valjakka v. Apple, Inc.*,
15 Case No. 6:22-cv-00003; *Valjakka v. Google LLC*, Case No. 6:22-cv-00004; *Valjakka v.*
16 *Intertrust Tech. Corp.*, Case No. 6:22-cv-00234; *Valjakka v. Philips North America LLC*, Case
17 No. 6:22-cv-00226; and *Valjakka v. Sony Interactive Entertainment LLC*, Case No. 6:22-cv-
18 00005. Those proceedings have now settled.

19 Netflix also filed a petition for *inter partes* review of the '167 patent on September 23,
20 2022. *Netflix, Inc. v. Valjakka*, IPR2022-01568, Paper 2 (P.T.A.B. Sep. 23, 2022) and a petition
21 for *inter partes* review of the '102 patent on January 3, 2023. *Netflix, Inc. v. Valjakka*, IPR2023-
22 00423, Paper 2 (P.T.A.B. Jan. 2, 2023).

23 **XI. RELIEF**

24 Netflix seeks a CUVTA summary judgment motion after sufficient time to complete Rule
25 45 discovery over AiPi.

XII. EXPEDITED TRIAL PROCEDURE

The case was set for trial on a standard schedule for February 2024. That date has been lifted to allow for discovery over AiPi. Dkt. 205.

XIII. SCHEDULE

- Netflix proposes it file its CUVTA summary judgment motion in December of January, with a trial, if necessary, on CUVTA, in April 2025.

XIV. TRIAL

Both Parties have requested a trial by jury. The CUVTA issue should be triable in 1-2 days.

XV. DISCLOSURE OF NON-PARTY INTERESTED ENTITIES OR PERSONS

On April 27, 2022, Valjakka filed a Certificate of Interested Parties and Entities pursuant to Civil Local Rule 3-15. (ECF No. 36).

On April 26, 2022, Netflix filed a Certificate of Interested Parties and Entities pursuant to Civil Local Rule 3-15. (ECF No. 34).

On September 21, 2023, Valjakka filed aa Amended Certificate of Interested Parties and Entities pursuant to Civil Local Rule 3-15. (ECF No. 174).

XVI. PROFESSIONAL CONDUCT

All attorneys of record for the Parties have reviewed the Guidelines for Professional Conduct for the Northern District of California.

Dated: June 25, 2024

Respectfully submitted,

Lauri Valjakka

/s/ Lauri Valjakka

Lauri Valjakka

Appearing pro se

1 Dated: June 25, 2024

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2 /s/ Rachael D. Lamkin

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ATTESTATION OF CONCURRENCE IN FILING

Pursuant to Northern District of California Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from the other Signatories to this document.

By /s/ Rachael D. Lamkin
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